

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Michael Anthony Coley**

**Docket No. 5:12-CR-4-2D**

**Petition for Action on Supervised Release**

COMES NOW Taron N. Seburn, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Michael Anthony Coley, who, upon an earlier plea of guilty to Distribution of 28 Grams or More of Cocaine Base (Crack) and Aiding and Abetting in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge, on July 31, 2012, to the custody of the Bureau of Prisons for a term of 72 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Michael Anthony Coley was released from custody on April 28, 2017, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** The defendant tested positive for cocaine on July 14, 2017, and the results were confirmed by Alere Laboratory on July 17, 2017. On July 24, 2017, the defendant signed an admission of drug use statement acknowledging the validity of the results. The defendant received a verbal reprimand and was counseled about his actions. He has been referred for substance abuse treatment at Second Chance Recovery of Rocky Mount, North Carolina, and will participate in the Surprise Urinalysis Program. As a sanction for this violation, we are recommending the defendant be required to participate in the DROPS Program and serve two days in the custody of the Bureau of Prisons. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.
2. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
3. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Michael Anthony Coley  
Docket No. 5:12-CR-4-2D  
Petition For Action  
Page 2

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Taron N. Seburn  
Taron N. Seburn  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: 252-830-2335  
Executed On: July 31, 2017

**ORDER OF THE COURT**

Considered and ordered this 1 day of August, 2017, and ordered filed and  
made a part of the records in the above case.

James C. Dever III  
James C. Dever III  
Chief U.S. District Judge